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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/677,989

10/02/2003

Peter Spiess

16565

9067

50659

7590

05/03/2006

BUTZEL LONG  
DOCKETING DEPARTMENT  
100 BLOOMFIELD HILLS PARKWAY  
SUITE 200  
BLOOMFIELD HILLS, MI 48304

EXAMINER

PICO, ERIC E

ART UNIT

PAPER NUMBER

3654

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/677,989	SPIESS, PETER	
	<b>Examiner</b>	<b>Art Unit</b>	
	Eric Pico	3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133)
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 February 2006.
- 2a) ☒ This action is FINAL.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 5-7 and 9-12 is/are pending in the application.
- 4a) Of the above claim(s) 4, 8, and 13-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-7 and 9-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim(s) 1-3, 5, and 7-10 is/are rejected under 35 U.S.C. 102(b) as being anticipated by Steele U.S. Patent No. 3255807.

3. **Regarding claim 1**, Steele discloses an apparatus for guiding a door leaf 22 of a sliding door comprised of guide elements 50, 52.

4. Steele further discloses a movable belt 40 engaging the guide element 50, 52, the movable belt 40 having a portion adapted for contact with a guide surface 38 associated with the door leaf 22 whereby when the guide element 50, 52 is mounted to extend generally parallel to a plane of the door leaf 22.

5. Steele further discloses the portion of the movable belt 40 contacts the guide surface 38 during sliding of the door leaf 22 relative to the guide surface 38.

6. **Regarding claim 2**, Steele further discloses the guide surface 38 is disposed in a region of a door frame 30 for the door leaf 22 and the guide element 50, 52 is attached to the door leaf 22.

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7. **Regarding claim 3**, Steele further discloses the guide surface 38 is disposed in the door leaf 22 and the guide element 50, 52 is attached to a region of a door frame 30 for the door leaf 22.

8. **Regarding claim 5**, Steele further discloses guide element 50, 52 is a roller rotatably attached to the door leaf 22.

9. **Regarding claim 6**, Steele further discloses the guide element holds the movable belt 40 against the guide surface 38.

10. **Regarding claim 7**, Steele further discloses movable belt 40 seals against the guide surface 38 to prevent air leakage between opposite sides of the door leaf 22.

11. **Regarding claim 9**, Steele further discloses movable belt 40 has resilient properties.

12. **Regarding claim 10**, Steele further discloses movable belt 40 has a laminated structure.

13. Claim(s) 1-3, 5, 10 and 11 is/are rejected under 35 U.S.C. 102(b) as being anticipated by Julian et al. U.S. Patent No. 3798705.

14. **Regarding claim 1**, Julian et al. discloses an apparatus for guiding a door leaf 10 of a sliding door comprised of guide elements 13, 14, 15, 16.

15. Julian et al. further discloses a movable belt 17 engaging the guide element 13, 14, 15, 16, the movable belt 17 having a portion adapted for contact with a guide surface 20 associated with the door leaf 10 whereby when the guide element 13, 14, 15, 16 is mounted to extend generally parallel to a plane of the door leaf 10.

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16. Julian et al. further discloses the portion of the movable belt 17 contacts the guide surface 20 during sliding of the door leaf 10 relative to the guide surface 20.

17. **Regarding claim 2**, Julian et al. further discloses the guide surface 20 is disposed in a region of a door frame 12 for the door leaf 10 and the guide element 13, 15 is attached to the door leaf 10.

18. **Regarding claim 3**, Julian et al. further discloses the guide surface 20 is disposed in the door leaf 10 and the guide element 13, 14, 15, 16 is attached to a region of a door frame 12 for the door leaf 10.

19. **Regarding claim 5**, Julian et al. further discloses guide element 13, 14, 15, 16 is a roller rotatably attached to the door leaf 10.

20. **Regarding claim 10**, Julian et al. further discloses movable belt 17 has a laminated structure.

21. **Regarding claim 11**, Julian et al. further discloses a door 10 used in an elevator installation comprised of an elevator door leaf 10.

22. Julian et al. further discloses guide element 13, 14, 15, 16 extending generally parallel to a plane of the at least one elevator door leaf 10.

23. Julian et al. further discloses a movable belt 17 engaging the guide element 13, 14, 15, 16, the movable belt 17 having a portion adapted for contact with a guide surface during sliding of the elevator door leaf 10 relative to the guide surface.

24. Claim(s) 1-3, 5, 7, and 10 is/are rejected under 35 U.S.C. 102(b) as being anticipated by Prete U.S. Patent No. 5273363.

25. **Regarding claim 1**, Prete discloses an apparatus for guiding a door leaf 12 of a sliding door comprised of guide elements 10.

26. Prete further discloses a movable belt 30 engaging the guide element 10. the movable belt 30 having a portion adapted for contact with a guide surface 14 associated with the door leaf 12 whereby when the guide element 10. is mounted to extend generally parallel to a plane of the door leaf 12.

27. Prete further discloses the portion of the movable belt 30 contacts the guide surface 14 during sliding of the door leaf 12 relative to the guide surface 14.

28. **Regarding claim 2**, Prete further discloses the guide surface 14 is disposed in a region of a door frame, shown in Figure 1 for the door leaf 12 and the guide element 10 is attached to the door leaf 12.

29. **Regarding claim 3**, Prete further discloses the guide surface 14 is disposed in the door leaf 12 and the guide element 10 is attached to a region of a door frame for the door leaf 12.

30. **Regarding claim 5**, Prete further discloses guide element 10 is a roller rotatably attached to the door leaf 12.

31. **Regarding claim 7**, Prete further discloses movable belt 30 seals against the guide surface 14 to prevent air leakage between opposite sides of the door leaf 12.

32. **Regarding claim 10**, Prete further discloses movable belt 30 has a laminated structure.

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33. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

34. Claim(s) 12 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Julian et al. U.S. Patent No. 3798705 in view of Steele U.S. Patent No. 3255807.

35. **Regarding claim 12**, Julian et al. discloses another guide element extending generally parallel to the plane of the elevator door leaf and the movable belt engaging another guide element.

36. Julian et al. is silent concerning movable belt being an endless belt.

37. Steele teaches another guide element 50 extending generally parallel to the plane of a door leaf 22 and the movable belt 40 being an endless belt engaging another guide element 50.

38. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the elevator door leaf disclosed by Julian et al. with an endless belt taught by Steele to increase the sliding distance of the door leaf.

### ***Response to Arguments***

39. Applicant's arguments filed 02/24/2006 have been fully considered but they are not persuasive.

40. Regarding applicant's assertion that the "guide elements" extend perpendicular to the vertical planes of the associated panels and the contact surfaces of the "movable

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belt" also extend perpendicular to the vertical planes of the associated panels and therefore does not anticipate nor render obviousness is unpersuasive. Applicant clearly claims "guide element is mounted to extend generally parallel to a plane of the door leaf" in claim 1 and "guide element extending generally parallel to a plane of said at least one elevator door leaf" in claim 11. Applicant fails to define a vertical plane in either claim 1 or claim 11 but instead broadly recites "parallel to a plane of the door leaf" in claim 1 and "parallel to a plane of said at least one elevator door leaf" in claim 11, which are both anticipated by Steele U.S. Patent No. 3255807 and Julian et al. U.S. Patent No. 3798705.

### ***Conclusion***

41. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



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42. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Pico whose telephone number is 571-272-5589.

The examiner can normally be reached on 6:30AM - 3:00PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine Matecki can be reached on 571-272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EEP

  
**KATHY MATECKI**  
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